

**REMARKS****Summary of the Office Action**

Claims 2-6 stand rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite.

Claims 3 and 4 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Nagayama et al. (GB 2 332 985 A) (hereinafter "Nagayama").

**Summary of the Response to the Office Action**

Applicants have amended claims 3 and 4 to differently describe embodiments of the disclosure of the instant application and/or to improve the form of the claims. Claims 3 and 4 remain currently pending for consideration. Applicants have also amended a paragraph of the specification to improve its form.

**Rejection under 35 U.S.C. § 112, second paragraph**

Claims 2-6 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Applicants note that claims 1-2 and 5-6 were canceled in the previously-filed Amendment filed on August 29, 2007 without prejudice or disclaimer. Nevertheless, the Final Office Action dated November 30, 2007 still rejected one or more of these canceled claims under 35 U.S.C. § 112, second paragraph. Withdrawal of the rejections of these claims are respectfully requested at least because they have previously been canceled. As to remaining claims 3 and 4, the Office Action alleges that "[c]onstant 'a' is contained in all claimed formula and not limited by the claims." In addition, at page 5, section 12 of the Final Office Action, entitled "Response to Arguments," the Examiner notes that "although the claims are interpreted in light of the

specification, limitations from the specification are not read into the claims.” Accordingly, Applicants have amended claims 3 and 4 to differently describe embodiments of the disclosure of the instant application and/or to improve the form of the claims as follows.

Applicants respectfully submit newly-amended independent claims 3 and 4 of the instant application now specifically describe equations (74), (76), and (78), as disclosed at page 40, line 20 – page 41, line 11 and page 41, line 26, of the instant application’s specification. Applicants respectfully submit that any of these three equations can be utilized to clearly direct those having ordinary skill in the subject art to the manner of obtaining the coefficient “a” for particular situations. Applicants respectfully submit that because these equations have now been specifically incorporated into each of independent claims 3 and 4, the wording of currently pending claims 3 and 4 is sufficiently clear and well understood by those having ordinary skill in the art in light of the instant application’s disclosure.

With respect to the first equation (formula (74)), Applicants respectfully submit that an explanation of such is further provided at line 1 of page 36 of the specification of the instant application. Also, Applicants respectfully submit that the explanation of the variables “M” and “D” in newly-amended independent claims 3 and 4 is provided, for example, at page 36, line 2 of the specification of the instant application.

With respect to the second equation (formula (76)), Applicants respectfully submit that an explanation of such is further provided at line 3 of page 41 of the specification of the instant application which makes reference to Fig. 9 of the instant application. However, Applicants have noticed in this regard that  $L_x$  and  $L_y$ , as described at page 41, line 3 of the specification should instead read “ $M_x$ ” and “ $M_y$ ” in order to correspond with the illustration of Fig. 9 of the instant application. Accordingly, the paragraph beginning at page 40, line 22 has been newly-

amended in this regard to render this portion of the specification consistent with the illustration in Fig. 9.

Applicants respectfully submit that all of the currently pending claims, as amended, fully comply with the requirements of 35 U.S.C. § 112, second paragraph. Accordingly, Applicants respectfully request that the rejections under 35 U.S.C. § 112, second paragraph be withdrawn.

### **Rejections under 35 U.S.C. § 102(b)**

Claims 3 and 4 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Nagayama. Claims 3 and 4 have been newly-amended to differently describe embodiments of the disclosure of the instant application and/or to improve the form of the claims. To the extent that these rejections might be deemed to still apply to the claims as newly-amended, they are respectfully traversed for at least the following reasons.

Each of independent claims 3 and 4 of the instant application have been amended to describe a combination of features of an organic electroluminescence display panel in which a coefficient is obtained “using one of equations:  $a = D/2M$  where  $D$  represents a gap width and  $M$  represents an electrode length;  $a = D / [ 2 \cdot \{ (M_x / D_y) + (M_y / D_x) \} ]$  where  $M_x$  and  $M_y$  respectively represent lengths of sides of display electrodes, and  $D_x$  and  $D_y$  respectively represent distances among the display electrodes; and  $\frac{1}{a} = \lim_{n \rightarrow \infty} \frac{M_{seg}}{n} \sum_{i=1}^n \frac{1}{D_i}$  where  $M_{seg}$  represents a circumferential length of a segment of the display electrodes,  $n$  is the number of divided parts of the circumferential length, and  $D_i$  represents distances from respective sides of a segment to other segments of the display electrodes, depending on the shape of the gap filling

part, respectively.” Applicants respectfully submit that such specific arrangements are neither shown nor suggested by the applied art of record.

Accordingly, Applicants respectfully assert that the rejections under 35 U.S.C. § 102(b) should be withdrawn because Nagayama does not teach, or even suggest, each feature of independent claims 3 and 4, as newly-amended. As pointed out in MPEP § 2131, “[t]o anticipate a claim, the reference must teach every element of the claim.” Thus, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. Of California, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987).” Accordingly, Applicants respectfully submit that newly-amended independent claims 3 and 4 are in condition for allowance.

### **CONCLUSION**

In view of the foregoing amendments and remarks, withdrawal of the rejections and allowance of all pending claims are earnestly solicited. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants’ undersigned representative to expedite prosecution. A favorable action is awaited.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including

any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573.

This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF**

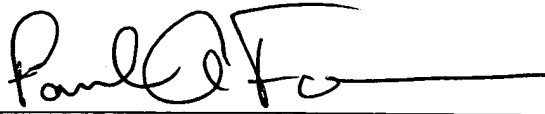
**TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**DRINKER BIDDLE & REATH LLP**

Dated: February 29, 2008

By:

A handwritten signature in black ink, appearing to read "Paul A. Fournier", written over a horizontal line.

Paul A. Fournier

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